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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,120	12/20/2000	Murty Neti	PD-200255	6410

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EXAMINER

KIANERSI, MITRA

ART UNIT	PAPER NUMBER
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2143

3

DATE MAILED: 03/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/741,120

Applicant(s)

NETI ET AL.

Examiner

mitra kianersi

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/02/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

Claims 1-20 have been examined.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 and 9, 11-17, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Andersson et al. (US Patent No. 5,809,129).

1. As per claim 1, a resource management system, adapted for use with a communications network, said resource management system comprising:
  - a first resource request monitor, adapted to monitor at least one resource request transmitted by a communications unit of said network, said resource request including information representing a respective amount of communication resources of said communications network being requested, said first resource request monitor being further adapted to provide first information representing said amount of resources requested by said resource request; (corresponds to the call layer with one or more service networks that request the use of an individual bearer service for connection establishment. Col 1, lines 31-37)
  - a second resource request monitor, adapted to monitor an amount of communications resources being provided to said communications unit in response to said resource request, and to provide second information representing said amount of communications resources being requested by said resource request; and a coordination center, adapted to compare said first and second information to determine

whether said amount of communications resources provided, as represented by said second information, equals said amount of communications resources requested, as represented by said first information. (In FIG. 1 the second service network SN2, for example ISDN, sends a similar connection request, indicated by arrow 25 to its logical network LN2. col 3, lines 25-35)

2. As per claim 2, a resource management system wherein coordination center is further adapted to provide an indicator when said first and second values are not equal. (corresponds to slot containing an indicator which specifies the action to be taken, col 5, lines 15-20)

3. As per claim 3, a resource management system wherein said indicator includes a credit or charge on a bill for said resources requested. (corresponds to slot containing an indicator which specifies the action to be taken, col 5, lines 10-26)

4. As per claim 4, a resource management system wherein said coordination center is further adapted to prevent said communications unit from transmitting another resource request when said first and second information are not equal. (corresponds to international switching centers, col 4, lines 61-62)

5. As per claim 5, a resource management system wherein: communications unit includes an earth-based terminal. (Intelligent terminals 9, 10, 11 are connected to switches, col 4, lines 61-62 and col 1, lines 60-62)

6. As per claim 6, a resource management system further comprising: an access monitor, adapted to maintain a record of said respective amount of resources requested; and a resource grant monitor, adapted to maintain a record of said second information. (access points of the telephone sets and of the terminals in the service nets must be mapped to corresponding termination points in the logical networks in

order to make said access points in the service networks known to the logical networks. Col 2, lines 35-42)

7. As per claim 7, a resource management system wherein access monitor is included at a network service provider or a wholesaler. (At the call layer there are one or more service networks that request the use of an individual bearer service for connection establishment. Col 1, lines 31-37)

9. As per claim 9, a resource management system wherein coordination center is further adapted to receive and compare said first and second information after first resource request monitor has monitored a plurality of said resource requests and after said second resource request monitor has monitored said amount of communications resources being provided in response to said plurality of resource requests. (The service class of an incoming frame is compared to the current congestion level and depending on its service class the frame is discarded or not, col 5, lines 35-38)

11. As per claim 11, a method for monitoring use of communication resources in a communications network, comprising: monitoring at least one resource request transmitted by a communications unit of said network, said resource request including information representing a respective amount of communication resources of said communications network being requested; providing first information representing said amount of resources requested by said resource request; monitoring an amount of communications resources being provided to said communications unit in response to said resource request; providing second information representing said amount of said communications resources being requested by resource request; and comparing said first and second information to determine whether said amount of communications resources provided, as represented by said second information, equals amount of communications resources requested, as represented by first information.  
(corresponds to the call layer with one or more service networks that request the use of an individual bearer service for connection establishment. Col 1, lines 31-37)

(In FIG. 1 the second service network SN2, for example ISDN sends a similar connection request indicated by arrow 25 to its logical network LN2. col 3, lines 25-35)

12. Claims 12-17 and 19 recite the same limitations as claims 2-7 and 9. Therefore, they are analyzed and rejected by the same rationale.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 10, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andersson et al. (US Patent No. 5,809,129) and further in view of Christie (US Patent No. 6,452,928).

8. As per claim 8 and 18, resource management system wherein resources being requested include billing records. Andersson et al. do not explicitly teach resources being requested include billing records but Christie teach a broadband telecommunications system generating a billing records. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention was made to incorporate Andersson et al. teaching with communication system of Christie to improve transmission quality.

10. As per claim 10 and 20, a resource management system wherein said coordination center is further adapted to receive and compare said first and second information at predetermined intervals of time. (known call processing methods by looking at the LAM information prior to validation to determine if validation is even

required. Col 18, lines 14-17, Christie)


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (703) 305-4650. The examiner can normally be reached on 7:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mitra Kianersi  
March/22/2004

  
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